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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,673	12/15/2003	Keisuke Hayakawa	NE204-USDIV	6294
21254 7590 12/12/2008 MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817				
EXAMINER				
KUMAR, ANIL N				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,673

Applicant(s)

HAYAKAWA, KEISUKE

Examiner

ANIL N. KUMAR

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23, 29, 30, 32, 33, 49 and 50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23, 29, 30, 32, 33, 49 and 50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the RCE filed on September 15th, 2008. Claims 23, 29, 30, 32, 33, 49 and 50 are pending and have been considered below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 29, 30 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Huffman et al., (Huffman, US 5,663,748).

Claim 29: Huffman teach, a page information display method for displaying the electronic information, employing an information access device having a storage unit for storing the electronic information having plural pages of information in a unit of page of predetermined size, a display unit for displaying the electronic information stored in said storage unit in said unit of page, and an operation unit for inputting an operation to gain access to said page information, said operation unit being provided in the substantially same area as said display unit(The substantial symmetry makes the electronic book feel like a real, paper book being opened to one of its middle pages columns 4-8 lines 37-12 and Figs. 2/3), comprising,

but does not disclose

- an article information enlarging operation detecting step of outputting an article information enlarging operation detecting signal having the positional information as to an article information enlarging operation, when the article information enlarging operation is detected on said operation unit, in the case where plural articles of information making up a current page are defined in said current page read from said storage unit that is to be displayed at present; and an article information enlarging display step of displaying in enlargement the article information at a position indicated by said positional information on said display unit, in the case where the article information enlarging operation detecting signal is output in said article information enlarging operation detecting step (Titles and headings in the book are enlarged and bolded based upon the primary font/size combination ... columns 10-11 lines 42-7, Fig. 9 and Fig. 7);
- wherein said article reformation continuous enlarging operation detecting step further comprises an article information continuous enlarging operation detecting substep of outputting an article information continuous enlarging detecting signal in the case where two or more articles of information is contained, in a locus, of dragging, when a dragging is made on said operation unit, and wherein said article information enlarging display step comprises a continuous enlarging display substep of displaying in enlargement said article information individually (the hot spot portions are motion sensitive so that a

- touch event, a touch-and-hold event, and a drag event can be sensed to initiate differing responses, column lines and Figs. 5-7);
- in time series at every predetermined time interval in the order of said dragging (a step of displaying a forward page turn in an animated -in time series at every predetermined time interval- matter is performed as indicated by block 486 , columns 18 lines 46-59 and Fig. 28).

Claim 30: Huffman teach, further comprises a substep of outputting an article information enlarging operation detecting signal including a click position as said positional information, when a click is made on said operation unit (user selecting a portion of a page of text, column 13 lines 45-56 and Fig. 19).

Claim 32: Huffman teach, wherein said continuous enlarging display step further comprises a substep of displaying in enlargement said two or more articles of information in time series continuously at a time interval in accordance with a rate of said dragging (see two articles enlarged in Fig. 7).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a

whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23, 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henckel et al. ("Henckel", US 5,463,725) in view of Fitzpatrick et al. ("Fitzpatrick", US 5,392,387).

Claim 23: Henckel teach a method, a page information display method for displaying the electronic information, employing an information access device having a storage unit for storing the electronic information having plural pages of information in a unit of page of predetermined size, a display unit for displaying the electronic information stored in said storage unit in said unit of page, and an operation unit for inputting an operation to gain access to said page information, said operation unit being provided in the substantially same area as said display unit, wherein said display unit has an information access area for displaying the electronic information stored in said storage unit in said unit of page (An interface for making information available to a user provides a display similar to a printed book or magazine, Abstract, Figs. 1-5) and one and the other tag display areas for displaying a tag indicating the content of said page, said tag display areas being provided at both ends of said information access area (Fig. 3), comprising

- a page holding operation detecting step of putting a page holding operation detecting signal when a predetermined page holding operation is made at a current page read from said storage unit that is to be displayed at

- present (i.e. ... a determination is made of the necessary action to be performed 76-action 4/5 Flip corners... column 6 lines 27-39 and Fig. 6 and Fig. 4);
- a next display page setting step of setting a page having a page number that is equal to the current page added or subtracted by the amount of said holding operation to a next display page to be displayed at the next time, when the page holding operation detecting signal is output in said page holding operation detecting step (i.e. ... A determination is then made of any appropriate actions which need to be performed. These include: 3) completing the turning of multiple pages... column 5/6 lines 66-9 and Fig. 6 Block 66);
 - and a page turning process step of displaying the next display page set in said next display page setting step in place of said current page on said display unit (i.e. ... The animation corresponding to any of the actions described above is then displayed 68... column 5 lines 42-52 and Fig. 6, and Fig.4);
 - following said page holding operation detecting step, further comprising a before-turning holding object page tag coloring step of coloring a tag for a holding object page that is held by said page holding operation with a different color from other tags in one tag display area that is displaying a tag appended to the current page, when the page holding operation is initially detected in said page holding operation detecting step (i.e. ... performing such a flipping

function at the upper corners of the pages preferably allows chapter headings, or some other larger unit indicator, to be displayed and selected. Location of page numbers, chapter headings, and so forth –change color-, may be changed ... column 4 lines 52-64 and Fig.4);

but does not explicitly teach,

- and following said page turning process step, an after-turning holding object page tag coloring step of coloring a page tag for said holding object page, for which said page turning process is completed, with a different color from other tags.

However, Fitzpatrick teaches, a method and system for enhanced data access efficiency in an electronic book (Abstract) and further teach, using color to distinguish page tabs (it may be seen that page tabs 68 are associated with designated topic 66 while page tab 72 is associated with designated topic 70. Those skilled in the art will appreciate that this may also be accomplished utilizing color or other visually detectable means for distinguishing those page tabs associated with selected topics which have been designated by a user. Column 3 lines 33-42 and Fig. 3). Therefore, it would have been obvious to one having ordinary skill in the art at the time to combine the method of using colored page tabs, as taught by Fitzpatrick, in Henckel in order to give the user visual confirmation of page turning operation.

Claim 49: Fitzpatrick further teach, a page information display method, in a page information display method for displaying a page of predetermined size as a unit and, with a tag, electronic information having a plurality of information as a unit of page (the designation of a selectable topic within index screen 60 will result in the generation and display of multiple page tabs 68, column 3 lines 9-32 and Fig. 2), comprising:

- calculating a tag length which determines a length of a current page tag appending to a current page by referring m a length of a tag display area as a reference (Also depicted within FIG. 4 are multiple chapter tabs 76 –inherent that the length must be calculated–, column 3 lines 48-56);
- setting a semantic display which sets each of the length of the tag to be shorter at a lower hierarchical level, with the tag length of the current page tag as a maximum value (note the tags 76 have a semantic display based on hierarchical levels in Fig. 4);
- displaying a tag content according to a tag length and a font size for display (note the Index Tab 78 is based on the content in Fig. 4);
- and displaying page information of a current page to be displayed in an information access area, wherein the displaying of said tag content includes displaying a page number on a tag capable of being displayed (see the Tabs 76 include information about the page in Fig. 4).

Although Henckel or Fitzpatrick alone or in combination do not explicitly teach, setting a line tag display for a certain range when a length of a tag display area is

insufficient for the total page number; semantically displaying the tag length to be shorter at said lower hierarchical level, it would have been obvious to one skilled in the art at that time to provide for modifying the length of the tabs, as suggested by Fitzpatrick (the box surrounding the arrow within control element 80 may be deleted if no topics are present with the index which have been previously designated by a user – modify the tab 76-, columns 3-4 lines 57-8).

Claim 50: Fitzpatrick further teach, wherein the method comprises, after setting the semantic display, inserting an interval display line which changes a thickness of a tag contour line at every page interval, depending on a content of page information(the box surrounding the arrow within control element 80 may be deleted if no topics are present with the index which have been previously designated by a user – modify the tab 76 outline-, columns 3-4 lines 57-8)..

6. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huffman et al. (Huffman, US 5,663,748).in view of Ho (US 6,407,757 B1).

Claim 33: Huffman does not explicitly teach, further comprising, following said article information enlarging display step: an article display page turning inhibit control step of inhibiting a normal page turning operation while said article information is being displayed in enlargement. However, Ho discloses A

computer based browsing computer program product (Abstract), and further teach, inhibiting the page flipping (one can stop the pages from being completely flipped to the other side, column 21 lines 21-40 and Fig. 6A). Therefore, it would have been obvious to one having ordinary skill in the art at the time to combine the inhibiting the page flipping step, as taught by Ho, in Huffman in order to provide the user a option for inhibiting the page flipping under certain circumstances.

Response to Arguments

7. Applicant's arguments filed on September 15th, 2008 have been fully considered but are moot in view of new rejection.

A. Applicant argues, "Thus, contrary to the Examiner's assertions, Figure 44 does not necessarily indicate that a single object 82A is being dragged. Therefore, these claims, 24 and 49-51, are clearly enabled and the Examiner is respectfully requested to withdraw this rejection". The Examiner agrees but points out it is moot in view of new rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil N. Kumar whose telephone number is (571) 270-1693. The examiner can normally be reached on Wednesdays and alternate Mon-Tue and Thu-Fri EST (Alternate Mon-Tue and Thu-Fri off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Supervisory Patent Examiner, Art
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